

STATE OF NEW YORK

TAX APPEALS TRIBUNAL

In the Matter of the Petition	:	
of	:	
YELLOW BOOK OF NEW YORK, INC.	:	ORDER
for Revision of a Determination or for Refund of	:	
Sales and Use Taxes under Articles 28 and 29 of the	:	
Tax Law for the Period February 1, 1999 through	:	
December 31, 2001.	:	

Roberta Moseley Nero, Esq. filed a motion dated January 17, 2008 before the Tax Appeals Tribunal for leave (A) to appear and file a brief amicus curiae on exception and (B) to be heard at oral argument as an amicus curiae (DTA No. 820527). Petitioner appeared by Thelen, Reid & Priest, LLP (Scott Brian Clark, Esq., of counsel). The Division of Taxation appeared by Daniel Smirlock, Esq. (James Della Porta, Esq., of counsel).

ORDERED that with respect to that part of the motion seeking to appear and file a brief as amicus curiae on exception hereby be and is granted; that the motion to the extent that it begs for leave to be heard as amicus curiae at oral argument is denied.

DATED: Troy, New York
May 22, 2008

/s/ Charles H. Nesbitt
Charles H. Nesbitt
President

/s/ Carroll R. Jenkins
Carroll R. Jenkins
Commissioner

/s/ Robert J. McDermott
Robert J. McDermott
Commissioner